

Memorandum

To : Diane Griffiths

Date : March 9, 1988

From : Fair Political Practices Commission
Lilly Spitz

Subject: Attorney General--Statement of Economic Interests Filing
Advice Memo No. M-88-100

Question

Should Deputy Attorneys General (DAGs) be required to file their statements of economic interests (SEIs) with each agency for which they provide on-going legal assistance?

Conclusion

1. Since the Department of Justice conflict of interest code meets the disclosure requirements of the Act, DAGs should continue to file only with the Department. If an agency wishes to keep a record of such information on file, it has the option of requesting a copy of the SEI, just as any member of the public would have such right.

2. Model language should be provided for amendment to codes of those state agencies utilizing DAGs as counsel and listing same as designated positions. This new language would simply indicate that where a DAG serves as counsel to the agency, his or her SEI is available to the public at the Department of Justice at the appropriate location indicated.

3. We will contact those agencies which we are aware are in need of amending language and alert them to the new procedure. Further, as codes are reviewed for future amendments, staff will be alert to additional agencies requiring such language.

A list of the agencies to be contacted is attached.

LS:plh:88100
Attachment

STATE AGENCIES TO BE CONTACTED REGARDING DAG LANGUAGE

1. State Fair/Cal Expo
2. Office of Emergency Services
3. Transportation Commission
4. Cal-Tahoe Regional Planning Commission
5. State Mandates Commission
6. Osteopathic Examiners Board

LAW OFFICES OF
PILLSBURY, MADISON & SUTRO

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March 9, 1988

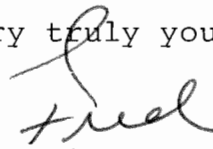
Ms. Kathy Donovan
Fair Political Practices
Commission
P.O. Box 807
Sacramento, CA 95805

Dear Kathy:

This constitutes a request for written advice
pursuant to Government Code Section 83114(b).

We are requesting confirmation of the oral advice
which was given to us by telephone to the effect that employees
of the Legislative Data Center (the "LDC") are not "legislative
officials" as defined under the Political Reform Act of 1974.
Therefore, payments which benefit LDC employees or members
of their immediate families are only "activity expenses" under
Government Code Section 86111 if a lobbyist, lobbying firm,
lobbyist employer or a \$5,000 filer making such payments has
attempted or is attempting to influence the administrative
actions of the LDC.

Very truly yours,


Frederick K. Lowell



California Fair Political Practices Commission

March 11, 1988

Frederick K. Lowell
Pillsbury, Madison & Sutro
P.O. Box 7880
San Francisco, CA 94120

Re: 88-100

Dear Mr. Lowell:

Your letter requesting advice under the Political Reform Act was received on March 11, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Kathryn Donovan, an attorney in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
Diane M. Griffiths *by Keel*
General Counsel

DMG:plh